

Bernard Q. Phelan  
WSB 5-1385

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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF  
WYOMING.

MACEDONIO PEREZ GARCIA,	)	
JESUS FRANCISCO CERVANTES	)	Docket No. 23-cv-214-R
GARCIA, YOLANDA GARCIA ,	)	
and JOSEPH ROOFING,	)	MOTION TO DISMISS
	)	
	)	
Plaintiff,	)	
vs.	)	
	)	
ERICH STEVEN TRUCKER,	)	
	)	
Defendant.	)	

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Motion to Dismiss for Failure to State a Cause of Action

Comes now the defendant and moves the court, pursuant Rule 12 (b) (6) for an Order dismissing the complaint herein in the grounds that it fails to state a cause of action.

Dated March 4, 2024.

*Bernard Q. Phelan*  
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Bernard Q. Phelan  
Attorney for the Defendant

**CERTIFICATE OF SERVICE**

I, Bernard Q. Phelan, certify that the foregoing Motion was served upon the following identified persons through the auspices of the ECF/CM system of the United States District Court for the District of Wyoming on the 4th day of March, 2024

MR. BRADLEY L. BOOKE

Mr. Robert Schuster

Box 13160

Jackson, WY 83001

*Bernard Q. Phelan*

S/ \_\_\_\_\_

Bernard Q. Phelan